

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ALICIA GRIMWOOD,

Plaintiff,

v.

AMERICAN AIRLINES, INC.,

Defendant.

Case No. 16-12592

Honorable Laurie J. Michelson

Magistrate Judge Anthony P. Patti

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**ORDER DENYING DEFENDANT’S MOTION FOR ENFORCEMENT OF THE  
TAXED BILL OF COSTS [28]**

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Alicia Grimwood fell on a jetbridge at O’Hare Airport. American Airlines owned the jetbridge. Grimwood sued American, alleging a single negligence claim. (R. 1.) The Court granted summary judgment in favor of American. (R. 24.)

After the Court entered judgment, American submitted a bill of costs (R. 26), and the clerk taxed those costs the same day (R. 27). Under this Court’s local rules, Grimwood had seven days to object to the taxed bill of costs. L.R. 54.1. She never did.

Now, American asks the Court to enforce the taxed bill of costs, totaling \$2,129.70, jointly and severally against Grimwood and her lawyer. (R. 28, PageID.449.)

Federal Rule of Civil Procedure 54 provides for an award of costs, other than attorney’s fees, to the prevailing party. Fed. R. Civ. P. 54. The Supreme Court has made plain that recovery under Rule 54 is limited to the itemized list of fees in 28 U.S.C. § 1920. *Crawford Fitting Co. v. J. T. Gibbons, Inc.*, 482 U.S. 437, 441 (1987); *see also Sams v. State Attorneys General*, 481 F.3d 355, 359 (6th Cir. 2007). And the Sixth Circuit says Rule 54 and § 1920 only impose costs on a

party, not the party's lawyer. *Sams*, 481 F.3d at 360. Finally, § 1920 says "[a] bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree." 28 U.S.C. § 1920.

All the costs American seeks to recover fall within § 1920's ambit, i.e. service fees, transcript fees, and witness fees. (*Compare* 28 U.S.C. § 1920 *with* R. 28.) And Grimwood never objected to the taxed bill of costs. So, as contemplated by § 1920, the Court will enter an amended judgment against Grimwood, awarding American Airlines costs in the amount of \$2,129.70. And American can seek to collect on the Judgment under the appropriate rules.

Accordingly, to the extent American moves to collect from Grimwood's lawyer, American's motion is DENIED, and the remainder of American's Motion for Enforcement of the Taxed Bill of Costs is DENIED as moot. (R. 28.)

s/Laurie J. Michelson  
LAURIE J. MICHELSON  
UNITED STATES DISTRICT JUDGE

Dated: October 10, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record and/or pro se parties on this date, October 10, 2018, by electronic and/or ordinary mail.

s/William Barkholz  
Case Manager